MINISTRY OF COMMERCE (SHRI P CHIDAMBARAM) : (a) and (b) On 26th April, 1991, the United States Trade Representative (USTR) designated India as a priority foreign country under the Special 301 provisions of the US trade legislation on grounds of perceived deficiencies in India's Patent law, trademark and copyright regimes and the enforcement of intellectual property law. The United States also represented that access for US motion pictures was restricted through quotas, fees and other barriers. The USTR has to make a determination by 26 February, 1992 on whether in terms of its law such acts, policies and practices are unreasonable and burden or restrict US commerce, and, if so, what responsive action should be taken by the United States.

Government are satisfied that our laws relating to trademarks and copyright, together with some amendments proposed to the copyright Act are adequate. A decision has also been taken to improve market access for motion pictures and videos. As far as the issue of patents is concerned, attention of the United States has been drawn to the fact that this is the subject of multilateral negotiations, which have yet to be concluded. Govt. of India has engaged in bilateral consultations with the United States in order to dissuade them from taking any unilateral retaliatory action.

National Consensus on the Dunkel's Proposal of GATT

53. SHRI PRABHAKAR B. KORE : PROF. I.G. SANADI :

Will the Minister of COMMERCE be pleased to state:

(a) whether Government have made any attempts to find a national consensus on the Dunkel's proposal of GATT;

(b) if so, what are the details thereof, indicating Government's aims and view on patents, publications and farm products, etc.;

(c) whether Government are also under heavy pressure under super 301 Clause;

(d) if so, how these onslaughts and dangers to Indian economy are being met; and

(e) whether Government will issue a White Paper on the subject for public education?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE (SHRI P. CHIDAMBARAM) : (a) and (b) Government have been holding consultations on the Dunkel proposals with a wide cross-section of the public, including economists, opinion makers and representatives of political parties. Views have been expressed both in support of and against the proposals contained in the Dunkel Text. These are being examined.

(c) Under the Special 301 provisions of the US trade legislation, the United States has sought changes in the provisions of our laws on intellectual property, particularly in respect of patents.

(d) Government have been exploring all options to ensure that India's national interests are safeguarded. Once the stand in respect of the Dunkel proposals is finalised, Government will participate in further negotiations in Geneva to safeguard our interests.

(e) No, Sir.

Negotiations with China on the Export of F.C.V. Tobacco

54. DR. YELAMANCHILI SIVAJI : Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that any negotiations took place to restore F.C.V. Tobacco export of China; and

(b) if so, what are the details and with what effect?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI SALMAN KHURSHEED) : (a) and (b) During India-China trade talks, the issue of improving exports of tobacco to China was generally discussed. The Chinese side had reacted positively to the suggestion.